

**Borough of Rocky Hill
Borough Council
Minutes of the Regular Meeting
June 2, 2014**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Edward Zimmerman at 7:30 PM followed by the salute to the flag.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Mayor Zimmerman read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 9, 2014. Notice remains continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Borough Clerk.

ROLL CALL

Mr. Tom Bremner-present, Mr. Jeff Donahue-present, Ms. Connie Hallman-present, Ms. Julia Hasser-present, Mr. Phil Kartsonis-present, Mr. Mark Pausch-present.

Also present: Mayor Ed Zimmerman, Clerk Rebecca Newman, Deputy Clerk Christine Witt, Borough Attorney Albert Cruz, Borough Engineer Bill Tanner, and Borough Tax Assessor George Sopko.

MAYOR'S COMMENTS

The Somerset County Business Partnership "Meet the Mayors" event will take place Wednesday, June 4th at the Royce Brook County Club at 5:30 pm. The Mayor went to Trenton for the signing of the adoptee birthright law. The Mayor will be going back to Trenton for the Flood Commission. About twenty people attended the Memorial Day observation, although there were complaints about the lack of advertising.

APPROVAL OF MINUTES

Regular Meeting Minutes – May 19, 2014. Bremner moved to approve the minutes as amended and Hallman seconded the motion. Motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

PUBLIC COMMENT

The floor was opened to public comment. Hearing none, the floor was closed.

STATE POLICE REPORT

No report.

ENGINEER'S REPORT

Report dated June 2, 2014 was distributed and filed in the Borough Clerk's office. Engineer Tanner gave an overview of the report.

Roof Repair

Completed last week.

Damage Inside Building from Roof Leak

Remediation work completed on the Saturday of Memorial Day weekend. This Wednesday GSE, the environmental consultant, will be on site to determine if the remediation is complete.

Public Works

Workers spread mulch, moved branches, and weeded around the Municipal Building.

Generator Grant

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The second phase of the grant was submitted May 29th.

No further contact with the cell operators on the water tower because of the State's postponement of the grant several times.

Washington Street Sidewalk Contract

Work will begin about mid-month starting at the Firehouse apron.

Construction Projects

Toth Lane bids are due June 4th.

Three landscaping companies were contacted for the Lemoire Circle to Montgomery Ave. drainage easement clean up, but only one responded. Will try to get additional estimates and have set up a meeting to discuss the scope of the work with the one landscaper that responded so far.

Awaiting Tim Lesko's final mark out for the Crescent Ave. repair. The cost is estimated at \$7,000 to \$10,000.

Tennis Court Repair

Repair to be done in the next two weeks.

Potholes

Hallman moved to approve the repair of potholes not to exceed \$5,500 pending certification of funds by the CFO. Donahue seconded the motion, and motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

Bremner requested that the Engineer look into getting posts and a chain to block vehicles from entering the Green Acres from Skillman Ave.

Hasser commented that the dog bag holders in Van Horne Park have been broken for years.

Kartsonis will ask the Constable to notify homeowners of trees and bushes blocking sidewalks.

CHIEF FINANCIAL OFFICER'S REPORT

No report.

APPROVAL OF VOUCHERS

Bill List dated June 2, 2014 was presented for approval. Donahue moved to approve all vouchers. Motion seconded by Hasser. Motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

SPECIAL BUSINESS

Discussion of Altering the Zoning Line for Block 5 Lots 6 & & for 25 Washington Road, LLC

The Engineer explained that the owner of the property would like to create two new lots in order to build two new homes. Planning Board members Council Member Hallman and Raymond Whitlock both indicated that the Planning Board was in favor of the Council altering the zoning line.

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The Council came to a consensus that the Borough Attorney should draft an ordinance allowing the for the alteration of the zone line and that the Engineer should draft a new zoning map with the changes suggested by 25 Washington Rd. LLC.

Discussion of Proposal from Tax Assessor

Borough Tax Assessor George Sopko addressed the Mayor and Council. Mr. Sopko explained that the Borough must decide by the end of June whether or not to move from periodic tax revaluations to annual reassessments. The State and County encourage annual reassessments in which one quarter of the Borough would be assessed every year. The periodic revaluation is done outside the regular budget whereas the annual reassessment would be in the regular budget.

Donahue moved to authorize the Tax Assessor to apply to the County to enter into the annual reassessment program in which 25% of Borough homes will be assessed annually after determining that such an application will not be binding on the Borough to participate in the program. Bremner seconded the motion. Motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

Mr. Sopko also requested a \$5,000 reimbursement for past professional commercial services performed and an agreement for future appraisal services in the defense of commercial tax appeals at a rate of \$100 per hour.

Discussion of Scenic Byways Signage

Hallman reported that 13 Scenic Byway signs have been installed in the Borough, and there have been many complaints about the signs. Attorney Cruz recommended that the Clerk find the documentation specifying what the Council agreed to in the resolution authorizing the signs in order to determine the Borough's recourse.

Discussion of Length of Nursery School Lease

The Council directed the Attorney to draft a two-year extension to the Rocky Hill Cooperative Nursery School lease at the same rent as the current lease.

Discussion of Signs to be Placed on Borough Property to Advertise the Pancake Breakfast

Fundraiser held by the First Aid Squad

Hasser moved to approve the Pancake Breakfast sign on Borough Property, Hallman seconded the motion, and motion carried on roll call vote.

For: Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: Bremner

Proclamation for Bob Bzik, Somerset County Planning Board

Bremner moved to approve the proclamation celebrating Robert Bzik's planning career, Hallman seconded the motion, and motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

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UNFINISHED BUSINESS

Resolution 2014-56: Adopting the Amended Bylaws of the Borough of Rocky Hill

Hasser moved to adopt the amended Bylaws, Bremner seconded, and the motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

Mayor Zimmerman voiced his intent not to sign the Resolution.

Resolution 2014-57: A Resolution Authorizing the Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Montgomery Avenue Phase III

Hasser moved to approve the resolution, Bremner seconded, and the motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

NEW BUSINESS

Resolution Appointing a Risk Management Consultant

Tabled

Resolution Appointing a Fund Commissioner

Tabled

Resolution Authorizing the Risk Management Agreement

Tabled

Resolution 2014-58 Approving the Renewal of a Plenary Retail Consumption License for Copper Bottom, LLC T/A Rocky Hill Inn for the Year 2014-2015

The floor was open to Public Comment on the Resolution, hearing none the floor was immediately closed.

Hasser moved to approve the resolution, Hallman seconded, and the motion carried on roll call vote.

For: Bremner, Donahue, Hallman, Hasser, Kartsonis, Pausch

Against: None

Abstain: None

COMMUNICATIONS:

Communications as listed, were distributed, disseminated and filed accordingly.

PUBLIC COMMENT

Raymond Whitlock, 94 Crescent Ave., recommended speaking with the Tax Collector before making any agreements with the Tax Assessor.

ADJOURNMENT

Motion was made by Pausch with a second by Hallman to adjourn the meeting at 9:21 PM. Motion carried on voice vote.

Respectfully submitted:
Christine Witt
Deputy Borough Clerk

June 2, 2014

List of Bills - (0110101001) CASH CURRENT FUND

Check#	Vendor	Description	Payment	Check Total
8039	60 - COURIER NEWS	PO 4865 Legal Advertising: Toth Lane	86.92	86.92
8040	559 - CRD	PO 4860 Mold removal in Borough Hall	4,000.00	4,000.00
8041	71 - DIFRANCESCO BATEMAN PC	PO 4866 Legal fees	1,904.00	1,904.00
8042	557 - Ditschman Flemington	PO 4858 Vehicle for Fire Chief Harris	31,686.00	31,686.00
8043	560 - GARDEN STATE ENVIRONMENTAL, INC.	PO 4864 Mold Inspection and Report for Muni	1,559.24	1,559.24
8044	354 - RICOH USA, INC.	PO 4871 Copy machine rental	124.50	124.50
8045	247 - SOMERSET COUNTY TREASURER	PO 4857 Snow Removal	12,391.57	12,391.57
8046	247 - SOMERSET COUNTY TREASURER	PO 4870 Sign replacements	155.37	155.37
8047	452 - SPRINT-NEXTEL CORP	PO 4872 mayor and clerk's cell phones	166.24	166.24
8048	286 - VAN CLEEF ENGINEERING	PO 4867 Engineering services April 2014	4,832.19	4,832.19
8049	289 - VERIZON	PO 4861 EMS phone	81.30	81.30
8050	289 - VERIZON	PO 4863 Borough Hall phone	97.35	97.35
8051	530 - WOOLSON SUTPHEN ANDERSON	PO 4869 Planning Board Legal Services	378.00	378.00
TOTAL				57,462.68

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List of Bills - (1926005) INTERFUND - DUE CURRENT TRUST OTHER

Check#	Vendor	Description	Payment	Check Total
8038	530 - WOOLSON SUTPHEN ANDERSON	PO 4869 Planning Board Legal Services	894.00	894.00
TOTAL				894.00

Total to be paid from Fund 19 TRUST OTHER

894.00

894.00

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List of Bills - (0810101001) CASH UTILITY OPERATING

Check#	Vendor	Description	Payment	Check Total
6903	415 - AQUA PRO TECH LABS	PO 4868 Water dept. testing	60.00	60.00
6904	37 - CASTORO & CO INC	PO 4859 Repair of Toth Lane water main bre	8,900.00	8,900.00
6905	286 - VAN CLEEF ENGINEERING	PO 4867 Engineering services April 2014	885.25	885.25
6906	289 - VERIZON	PO 4862 Water Dept. phone	30.11	30.11
TOTAL				9,875.36

Total to be paid from Fund 08 UTILITY OPERATING

9,875.36

9,875.36

RESOLUTION 2014 - 56

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, an ad-hoc committee appointed by the Borough Council has reviewed the existing Bylaws of the Borough of Rocky Hill; and

WHEREAS, the committee has suggested making changes to the existing Bylaws; and

WHEREAS, these changes were presented to the Borough Council on May 5, 2014 and reviewed by the Borough Attorney for compliance; and

WHEREAS, Council Members were asked to review these suggested changes and to express any concerns or comments to the committee no later than Friday May 9, 2014; and

WHEREAS, there were minimal changes and/or comments received; and

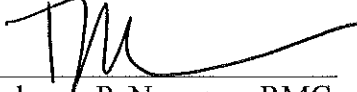
WHEREAS, the changes and/or comments were considered and the Bylaws were amended to accommodate these changes and/or comments where applicable; and

WHEREAS, the final version of the amended Bylaws have been circulated and reviewed by the Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the Borough of Rocky Hill amends the existing Bylaws as presented.
2. This Resolution shall take effect immediately.

ATTEST:

By: 
Rebecca P. Newman, RMC
Borough Clerk

By: _____
Edward P. Zimmerman,
Mayor

CERTIFICATION

2014-57

A RESOLUTION AUTHORIZING THE APPROVAL TO SUBMIT
A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR MONTGOMERY AVENUE PHASE III

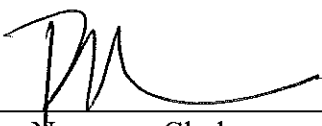
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rocky Hill formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as Rocky Hill Borough MA-2014-Montgomery Avenue Phase III -00628 to the New Jersey Department of Transportation on behalf of the Borough of Rocky Hill.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Rocky Hill and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

CERTIFICATION

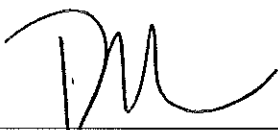
I, Rebecca Newman, do hereby certify that the foregoing resolution is a true copy of a resolution adopted by the Borough of Rocky Hill at a meeting duly held on _____.



Rebecca Newman, Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL



Rebecca Newman, Clerk

Edward Zimmerman, Mayor

RESOLUTION 2014- 58

**BOROUGH OF ROCKY HILL
SOMERSET COUNTY**

WHEREAS, application has been received from Copper Bottom LLC, T/A Rocky Hill Inn for renewal of the Plenary Retail Consumption Liquor License (1817-33-002-006); and


WHEREAS, said application is complete and accompanied by the required fees, affidavits, and tax clearance certificate from the New Jersey Division of Taxation; and

WHEREAS, no written objection to the renewal of this license was received by the Borough Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rocky Hill, County of Somerset, State of New Jersey, as follows:

1. That the license as referenced above be renewed for the 2014-2015 license year and that the Borough Clerk be directed to forward a certified copy of this Resolution and the renewal application and accompanying fee to the Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing, and to the applicants; and;
2. That the Borough Clerk be authorized to issue the 2014-2015 license to the proper holder with the effective date of July 1, 2014.
3. This Resolution shall take effect immediately.

ATTEST:

By: 
Rebecca P. Newman
Borough Clerk

By: _____
Edward P. Zimmerman, Mayor

CERTIFICATION

I, Rebecca P. Newman, Borough Clerk of the Borough of Rocky Hill do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on June 2, 2014.

Rebecca P. Newman
Borough Clerk